

Sub C 1. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well comprising:

- (a) a plurality of reels;
- (b) a plurality of pre-determined fixed symbols, with said symbols randomly distributed on each of said reels;
- (c) means for displaying a portion of said reels to a player so that for each of said reels at least two full symbols of said symbols on each of said reels may be visually perceived by said player;
- (d) means for rotating each of said reels;
- (e) a player controlled stop for each of said reels so that under the control of a player said rotation of said reels may be stopped;
- (f) a pre-determined location within said portion of said reels that is displayed to said player;
- (g) means for determining if a symbol of said two full symbols visually perceived by said player of said plurality of fixed symbols on each of said reels is stopped within said pre-determined location;
- (h) a results table to determine the outcome of the play of said game based on whether said player has timed the operation of said stops whereby at least one of said pre-determined fixed symbols is stopped within one of said pre-determined locations;

whereby said player plays said rotating reel based game by initiating means for rotating each of said reels then using said player controlled stops for each of said reels to attempt to stop said symbol of said two full symbols within said pre-determined location according to said results table to maximize the results for said player.

2. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 1 wherein said means for rotating each of said reels rotates said reels at a rotational speed so that said player has a time interval at least one-tenth of a second to use said player controlled stop to stop the rotation of the reels whereby the player may control if a symbol of said two full symbols visually perceived by said player of said plurality of said fixed symbols is stopped within said pre-determined location.

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3. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 2 wherein a bonus window randomly displays one of said plurality of pre-determined fixed symbols, said display occurring prior to initiating said means for rotating each of said reels, and said results table to increase results based on whether said player has timed the operation of said player controlled stops whereby a symbol of said two full symbols visually perceived by said player is stopped within one of said pre-determined locations for said plurality of reels by said player that matches said symbol displayed in said bonus window whereby said player uses said player controlled stops to attempt to stop in said pre-determined location symbols matching said symbol displayed in said bonus window to obtain increased results thereby.

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8. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 7 wherein if a player is successful in stopping a pre-determined number of said two full symbols visually perceived by said player of said symbols displayed in said bonus window in said pre-determined location, then player is awarded by a special bonus table.

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10. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well comprising:

- (a) means for displaying to a player on a video screen a plurality of reels;
- (b) means to make said means for displaying said plurality of reels to appear to rotate said reels by successively projecting on said video screen images of a reel at differing locations on said video screen;
- (c) means for displaying on each of said reels a plurality of full symbols of predetermined fixed symbols;
- (d) for each of said plurality of reels, means to stop said apparent rotation of said reel, said means to stop controlled by said player;
- (e) means for determining whether player has used said means to stop so that at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within a predetermined location on said video screen;
- (f) means for determining results of said play of game based on whether said player used said means to stop whereby at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within one of said predetermined locations.

11. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 10 wherein said means to stop allows a player at least one-tenth of a second to use said means to stop at least one of said plurality of full symbols of said pre-determined fixed symbols within said pre-determined location on said video screen.

12. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 11 further comprising a means for displaying a bonus symbol to a player, said bonus symbol one of said plurality of said pre-determined fixed symbols, with said bonus symbol display occurring randomly prior to activating said means for displaying to a player on a video screen a plurality of reels, and said means for determining results of said play providing increased results based on whether a symbol of said plurality of full symbols matching said bonus symbol is stopped within one of said pre-determined locations by said player.

21. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 20 wherein if a player is successful in using said means to stop a pre-determined number of said fixed symbols of said plurality of full symbols matching said bonus symbol in said pre-determined location, then player is awarded by a special bonus table.

26. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well comprising:

- (a) providing a plurality of reels;
- (b) providing a means to make said reels appear to rotate;
- (c) providing a means for displaying on each of said reels a plurality of full symbols of predetermined fixed symbols;
- (d) providing a means for a player to stop said apparent rotation of said reel;
- (e) providing a means for determining if a player has used said means to stop so that at least one of said plurality of full symbols of said predetermined fixed symbols is

stopped within a predetermined location on;

- (f) providing a means for determining results of said play of said game based on whether said player has used means to stop whereby at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within one of said predetermined locations.

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27. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 26 further comprising providing at least one-tenth of a second for a player to use said means to stop at least one of said plurality of full symbols of said pre-determined fixed symbols within one of said pre-determined locations.

28. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 27 further comprising providing a means for displaying a bonus symbol to a player, said bonus symbol one of said plurality of said pre-determined fixed symbols with said bonus symbol display occurring randomly prior to activating said means for displaying to a player a plurality of reels and said means for determining results of said play providing increased results based on whether a symbol of said plurality of full symbols matching said bonus symbol is stopped within one of said pre-determined locations by said player, each of said reels of said plurality of reels is provided with the same total number of said plurality of pre-determined fixed symbols.

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32. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 31 further comprising providing a special bonus table wherein if a player is successful in using said means to stop a pre-determined number of said fixed

symbols of said plurality of full symbols matching said bonus symbol in said pre-determined

locations then player is awarded by said bonus table.

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## OLD FORM CLAIM AMENDMENTS

1. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well comprising:

- (a) a plurality of reels;
- (b) a plurality of pre-determined fixed symbols, with said symbols randomly distributed on each of said reels;
- (c) means for displaying a portion of said reels to a player so that for each of said reels at least two full symbols of said symbols on each of said reels may be visually perceived by said player;
- (d) means for rotating each of said reels;
- (e) a player controlled stop for each of said reels so that under the control of a player said rotation of said reels may be stopped;
- (f) a pre-determined location within said portion of said reels that is displayed to said player;
- (g) means for determining if a symbol of said two full symbols visually perceived by said player of said plurality of fixed symbols on each of said reels is stopped within said pre-determined location;
- (h) a results table to determine the outcome of the play of said game based on whether said player has timed the operation of said stops whereby at least one of said pre-determined fixed symbols is stopped within one of said pre-determined locations;

whereby said player plays said rotating reel based game by initiating means for rotating each of said reels then using said player controlled stops for each of said reels to attempt to stop said symbol[s] of said two full symbols within said pre-determined location according to said results table to maximize the results for said player.

2. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 1 wherein said means for rotating each of said reels rotates said reels at a rotational speed so that said player has a time interval at least one-tenth of a second to use said player controlled stop to stop the rotation of the reels whereby the player may control if a symbol of said two full symbols visually perceived by said player of said plurality of said fixed symbols is stopped within said pre-determined location.

3. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 2 wherein a bonus window randomly displays one of said plurality of pre-determined fixed symbols, said display occurring prior to initiating said means for rotating each of said reels, and said results table to increase results based on whether said player has timed the operation of said player controlled stops whereby a symbol of said two full symbols visually perceived by said player is stopped within one of said pre-determined locations for said plurality of reels by said player that matches said symbol displayed in said bonus window whereby said player uses said player controlled stops to attempt to stop in said pre-determined location symbols matching said symbol displayed in said bonus window to obtain increased results thereby.

8. A rotating reel based game apparatus requiring patience, skill, knowledge, and concentration to play well of Claim 7 wherein if a player is successful in stopping a pre-determined number of said two full symbols visually perceived by said player of said symbols displayed in said bonus window in said pre-determined location, then player is awarded by a special bonus table.



10. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well comprising:

- (a) means for displaying to a player on a video screen a plurality of reels;
- (b) means to make said means for displaying said plurality of reels to appear to rotate said reels by successively projecting on said video screen images of a reel at differing locations on said video screen;
- (c) means for displaying on each of said reels a plurality of full symbols of predetermined fixed symbols;
- (d) for each of said plurality of reels, means to stop said apparent rotation of said reel, said means to stop controlled by said player;
- (e) means for determining whether player has used said means to stop so that at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within a predetermined location on said video screen;
- (f) means for determining results of said play of game based on whether said player used said means to stop whereby at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within one of said predetermined locations.

11. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 10 wherein said means to stop allows a player at least one-tenth of a second to use said means to stop at least one of said plurality of full symbols of said pre-determined fixed symbols within said pre-determined location on said video screen.

12. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 11 further comprising a means for displaying a bonus symbol to a player, said bonus symbol one of said plurality of said pre-determined fixed symbols, with said bonus symbol display occurring randomly prior to activating said means for displaying to a player on a video screen a plurality of reels, and said means for determining results of said play providing increased results based on whether a symbol of said plurality of full symbols matching said bonus symbol is stopped within one of said pre-determined locations by said player.

21. An electronic video based apparatus for simulating a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 20 wherein if a player is successful in using said means to stop a pre-determined number of said fixed symbols of said plurality of full symbols matching said bonus symbol in said pre-determined location, then player is awarded by a special bonus table.

26. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well comprising:

- (a) providing a plurality of reels;
- (b) providing a means to make said reels appear to rotate;
- (c) providing a means for displaying on each of said reels a plurality of full symbols of predetermined fixed symbols;
- (d) providing a means for a player to stop said apparent rotation of said reel;
- (e) providing a means for determining if a player has used said means to stop so that at

least one of said plurality of full symbols of said predetermined fixed symbols is stopped within a predetermined location on;

- (f) providing a means for determining results of said play of said game based on whether said player has used means to stop whereby at least one of said plurality of full symbols of said predetermined fixed symbols is stopped within one of said predetermined locations.

27. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 26 further comprising providing at least one-tenth of a second for a player to use said means to stop at least one of said plurality of full symbols of said predetermined fixed symbols within one of said pre-determined locations.

28. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 27 further comprising providing a means for displaying a bonus symbol to a player, said bonus symbol one of said plurality of said pre-determined fixed symbols with said bonus symbol display occurring randomly prior to activating said means for displaying to a player a plurality of reels and said means for determining results of said play providing increased results based on whether a symbol of said plurality of full symbols matching said bonus symbol is stopped within one of said pre-determined locations by said player, each of said reels of said plurality of reels is provided with the same total number of said plurality of predetermined fixed symbols.

32. A method for playing a rotating reel game that requires patience, skill, knowledge, and concentration to play well of Claim 31 further comprising providing a special bonus table wherein

if a player is successful in using said means to stop a pre-determined number of said fixed symbols of said plurality of full symbols matching said bonus symbol in said pre-determined locations then player is awarded by said bonus table.

## Claim Rejections - 102

Claims 10 and 11 and 26 and 27 were rejected under 35 U.S.C. 102(b) as being anticipated by Nolte. The examiner said that "This holding was maintained from prior action for cited claims, as amended, which is incorporated herein." In this earlier action, Claims 1 and 2, 10 and 11, and 26 and 27 were rejected under Nolte. Since this earlier rejection was made final, this is the first opportunity the Applicant has had to respond to that rejection and the arguments raised by the examiner therein. Consequently, the arguments given below are in response to the examiner's interpretation of Nolte in the Final Office Action mailed August 1, 2002 as well as the First Office Action dated December 16, 2002 in this continuation. In the August 1, 2002 Office Action, the examiner reasoned that the Applicant's invention does not require at least two full symbols. As amended, the Applicant's invention does require at least two full symbols. In truth, the Applicant believes in the claims as originally written, the display of two full symbols was inherent in those claims. However, in order to clarify the claims and to meet objections of the examiner, the claims have been amended. Each independent Claims 1, 10, and 26 are now written in such a way as to clarify that at least two full symbols must be displayed in a reel at any one time and that a player selects from these symbols when stopping the reel rotation. Claims 2, 11, and 27, as amended, add a further temporal limitation giving a time interval of "at least one-tenth of a second" for a player to use a player control stop to stop the rotation of the reels whereby a player may control if a symbol of the full symbols displayed to a player is stopped within a predetermined location. Before addressing the specific arguments of the examiner in the Office Action of August 1, 2002 and of the Office Action of December 16, 2002, the Applicant would like to make the following general comments.

### Applicant's Invention

The Applicant's invention is a skill game which depends in part on the reflexes of a user. A symbol rotates into view. A stop button is pushed and that symbol's rotation is stopped simultaneously, or at least as quick as electronics can allow, with the pressing of the stop button. In the Applicant's game, consider a hypothetical "perfect" player or at least an electronic player who had instantaneous reflexes. This "perfect" player would always win the Applicant's game since the symbol may be viewed, perceived, and the stop button pressed to stop that particular perceived symbol in the predetermined location, which will allow a payoff to the player. That is, the "perfect" player sees a symbol and stops rotation with that symbol in the "payoff location." For the claims, as amended, the "perfect" player can use the stop button to match the visible symbol to the bonus symbol.

### The Nolte Game

The Nolte patent is written in a fashion that obscures the actual functioning of the device. It is believed this is done deliberately to obscure the fact that the Nolte game is not a skill-based game, at least not in the same way that the Applicant's game is a skill-based game. As is explained in the Nolte disclosure for Figure 3A, less than two full symbols are displayed in frame 31. This is explained at various points in the Nolte patent. Perhaps it is most clearly explained in the Summary of the Invention in Column 2, Lines 30-34. Nolte also explains in Column 5 and, indeed, in Columns 5, Lines 54-56, that it is critical that only a single icon is fully displayed at any particular moment in the grid. The importance of this becomes apparent when Nolte goes on to explain the timing of his player controlled stop. Although written obscurely, the written description of the Nolte Figure 5, beginning in Column 12, Line 62 and extending through Column 13, Line 45,

makes it clear the importance of the Nolte requirement that less than two symbols be fully displayed at any one time. When the Nolte stop button is pressed, there is a built-in time delay before the rotation of the reels, hence, symbols stop. This time delay is constrained to include time for at least two video images to move through the display window (Nolte, Column 13, Lines 34-37). The meaning of this time delay is as follows. Assuming, again, the perfect player who has instantaneous reaction now is playing the Nolte machine. A desired icon starts to be displayed in the display window and the perfect player instantly presses the stop button. There is a built-in time delay so that this icon, which initiated use of the stop command by the player, passes completely through the display window and out of the display window before rotation of the reel is actually stopped. In other words, pressing the stop button will in no way stop the turning of the reel in time to stop any displayed icon within the display window. Less than two symbols are always displayed in the window and the time delay is equal to at least the amount of time for two symbols to rotate through the display window. Thus, in the Nolte game, the proposed perfect player cannot stop the reel in time to stop a displayed symbol or icon within the display window. Hence, even a perfect player cannot win in the Nolte game without more than perfect reflexes.

#### Argument

Claims 10-11 and 26-27 were rejected under 35 U.S.C. 102 as being anticipated by Nolte et al. Claims 10 and 26 have been amended to clarify that at least two symbols be displayed in a window in the current game and that these symbols are stopped to win the game. Nolte, on the other hand, both describes and constrains his display window to display no more than one symbol fully at any one time (Nolte, Column 5, Lines 54-55). Regarding Claim 11 and Claim 27, which added a time limitation of at least one-tenth of a second to allow an operator to stop a displayed icon within the appropriate location, the examiner reasoned as follows.

In the August 1, 2002 Office Action, the examiner used Nolte Figures 3A and Column 9, Lines 29-34 and referenced Nolte times T1-T3 in Figure 5. The examiner then reasoned that 4.5 seconds are allowed to display 27 symbols (Column 12, Lines 56-61) to conclude that: "Each symbol gets .1667-2 seconds to be selected and viewed."

In the December 16, 2002 Office Action, the examiner again concluded that: "Nolte discloses an electronic video-based apparatus wherein the means to stop allows a player a variable amount of time to use the means to stop at least one of the predetermined fixed symbols within a predetermined location on the video screen (Figure 3A, Column 9, Lines 29-34). The variable time can easily be adjusted through the software to be any time at or over one-tenth of a second."

The Applicant respectfully traverses these conclusions of the examiner. In Nolte, Column 9, Lines 29-34 are not explaining how a player selects an icon, but rather defines what is meant by a selected icon. In its entirety, this portion of the Nolte patent reads as follows: "As used herein, an operator selects a particular icon when he or she stops the rotating cylinder (as illustrated in a particular grid) and the so-called "selected icon" is the icon which is fully displayed in the visually delineated grid 30-38." What Nolte is saying here is that, by definition, the icon that stops in the grid is the icon that is selected. In no way does this passage mean that the player selected it by some skillful action the player took. Consequently, when the examiner concluded, as the examiner did in the August 1, 2002 Office Action, that "Each symbol gets .1667-2 seconds to be selected and viewed, considering that each symbol has the same time interval to be selected", this conclusion presupposes that something an operator of the game did in this time interval causes this symbol to be selected. This is an incorrect reading of the Nolte disclosure. Whatever symbol that



stops in the grid, hence, by definition is the symbol selected, was not a symbol viewed by the operator at the time the operator pressed a stop button. As was explained above, there is a delay between the time the stop button is pressed and the time the reel stops rotating and this delay guarantees that no symbol visible to an operator at the time of the pressing of the stop button is still visible in the display window at the time the "selection" of a symbol is made. This passage in Nolte also assures that some symbol will always stop, hence, be "selected" symbol in the display window. In a skill game like the Applicant's game, a selection process does not necessarily mean that a symbol is selected. As was explained on Page 11 of the Applicant's original application, beginning at Line 10 and extending through Line 18, pressing the stop button in the Applicant's invention does not guarantee that any symbol will be stopped in the "freeze frame." The Applicant's game is skill-based, hence, one may fail to stop any symbol in the freeze frame. Moreover, the game is set up so that a symbol does not stop in a freeze frame unless a player stops it there. The player cannot let the machine play the game (Application, Page 18, Lines 21-23).

Therefore, in conclusion, Claims 1-2, 10-11, and 26-27 are not anticipated by Nolte either as originally written or as amended to clarify these claims. The essential teaching of this invention is to give a player an opportunity to perceive a symbol, then respond to that perception in time to stop that perceived symbol in a predetermined location, hence win the game. In the current invention, a player's reflexes, concentration, and other skills are brought into play to affect the results of the game. On the other hand, the Nolte patent teaches that less than two full symbols are always displayed in a particular reel and that there is a time delay between pressing the stop button and the stopping of the reel, so that no symbol perceived by a player at the time of pressing the stop button will be stopped within the appropriate location. The Nolte patent, in truth, teaches away from this invention and the skill required in this invention.

### Claim Rejections - 103

Claims 1-2 were rejected under 35 U.S.C. 103 as being unpatentable over Nolte in view of Takemoto et al. U. S. Patent #6,004,208. For this purpose of this argument, it will be presumed that Claims 10-11 and 26-27, as amended, will also be rejected on similar grounds. Regarding Nolte, the examiner reasoned Nolte discloses "...a rotating reel-based game apparatus comprising a plurality of reels; a plurality of predetermined fixed symbols; means for displaying portions of the reel to a player so that each of the two symbols on each of the reels may be perceived by the player; means for rotating each reel; a player controlled stop for each reel; a predetermined location within a reel; means for determining the symbol on each reel is stopped within the predetermined location; results tabled to determine outcome; whereby the player plays the game by initiating means for rotating each of the reels, then stopping the reels within a predetermined location according to the results table to maximize the results for the player..." The examiner then reasons that: "...Takemoto discloses using two full symbols (Figure 18) on each reel for a player to view in order to stop the reel in a position that maximizes the player's outcome result."

The Applicant respectfully traverses the conclusion of the examiner that Nolte has a player controlled stop that allows a player to stop a perceived symbol within a predetermined location. The independent Claims 1, 10, and 26 were amended to clarify that in the Applicant's game, a player visually perceives a symbol on the apparent reel rotation and presses a stop button to stop that visually perceived symbol in a predetermined location. In the Nolte game, on the other hand, any visually perceived symbol on the apparent reel rotation will necessarily rotate out of the view of the player and the built-in time delay for the Nolte player controlled stop to work. Therefore, the Nolte game is not played by a player stopping a perceived symbol within a predetermined location

according to the results table to maximize the results for a player. Therefore, adding two symbols to the Nolte game does not remedy the essential deficiency of the Nolte device since, even if two full symbols were displayed, the Nolte time delay still constrains the stop to only work after two full symbols have rotated out of the view of the player.

Moreover, the Nolte device specifically teaches that less than two symbols are always displayed on the screen. Consequently, the Nolte device actively teaches away from combining the Takemoto device with the Nolte device. It is only using the teaching of the current invention, which allows a player to visually perceive a symbol, then to operate a player stop, to stop that visually perceived symbol in a predetermined location, that suggests the desirability of combining the Nolte device with the Takemoto device. It is standard patent law that obviousness cannot be established by combining the teaching of prior art to produce the claimed invention absent some teaching, suggesting, or incentives in the prior art supporting the combination. ASC Hospital Systems, Inc. v. Montefiore Hospital, 732 F2d. 572, 577; 221 USPQ 929 (933) Fed. Circ. 1984). In the Nolte patent, it is described as crucial that only a single icon is fully displayed at any particular moment (Column 5, Line 55). Consequently, Nolte certainly does not teach (and leads away from) the desirability of fully displaying two icons. The Takemoto U. S. Patent #6,004,208, in Figure 18, displays two full symbols and indeed most slot machines display three symbols on a rotating reel. Nothing about the Takemoto reference suggests the desirability of combining it with Nolte. Moreover, the essential teaching of the Nolte reference that there is a predetermined time delay between pressing the stop button and the actual stopping of a symbol. Indeed, in Column 8, Lines 25-30, Takemoto explains that pressing the stop button causes the deceleration of the apparent rotation of the reels and the reels only stop when a given symbol movement speed is reached or a given time has elapsed. The Takemoto patent reinforces the Nolte teaching of a delayed stop. Even

combining the two does not remedy the essential deficiency of the Nolte patent in failing to teach a player controlled stop so that a visually perceived symbol may be stopped within a predetermined given location. The Applicant respectfully traverses the conclusion of the examiner that one would be motivated to combine the references in order to give additional control to the player. It is only the teaching of the current application that shows the desirability of allowing a player an actual opportunity to consistently win the game. Indeed, the whole point of the Nolte patent is to give the appearance of a skill based game, but without the actuality of allowing a skillful player the opportunity to consistently win. Adding Takemoto to Nolte does not remedy the essential deficiencies of Nolte.

In referencing Claims 2, 11, and 27, the examiner reasons that Nolte discloses an electronic video game that allows a player a variable amount of time to use the means to stop at least one of the predetermined fixed symbols within the predetermined location on the video screen. As was explained above, this portion of the Nolte disclosure (Column 9, Lines 29-34) is not describing how a player selects an icon, but rather defining what a "selected icon" is. In the Nolte game, the player presses the stop button. There is a built-in time delay which requires the reels to continue to rotate so that no icon, which was displayed at the time the player pressed the stop button, remains within the display window. The reel stops so that an icon is in the display window and this is defined as the "selected icon." Even Nolte described this as "the so-called "selected icon"." In Nolte, the player no more selects the icon, which is stopped in the display window, than does a player of a standard slot machine. In a slot machine, the player initiates rotation of the reels and, at some point, the reels stop and a symbol is displayed in the appropriate spot on the display screen. Under the Nolte patent, by definition, this is "the so-called "selected icon"." A regular slot machine is not a skill game and neither is the Nolte device. Combining Takemoto does not remedy

the essential deficiencies of the Nolte device and there is nothing in the Nolte device that teaches the timing of Claims 2, 11, and 27 of the current game to give a player an opportunity to select a visually perceived symbol and to stop the rotation of the reels, so that the visually perceived symbol will stop within the predetermined location, giving a skillful and quick player a real opportunity to control the outcome of the game.

Claims 3-9 were rejected as being unpatentable over Nolte in view of Takemoto and further in view of Sakamoto et al. U. S. Patent #6,306,034. Adding Sakamoto and Takemoto to Nolte do not remedy the essential deficiencies of Nolte. The Applicant's arguments regarding Nolte and the combination of Takemoto with Nolte given above are incorporated herein. Specifically regarding Claim 3, the examiner reasons Sakamoto discloses a slot machine with stop buttons that uses a prize mode determining means for determining the prize mode of a game by a random number lottery (Column , Line 65 to Column 2, Line 1; and Column 3, Lines 19-40). The Applicant notes in passing that Sakamoto is apparently translated from Japanese and is, to a large degree, incomprehensible. The Applicant notes that Column 1, Line 65 to Column 2, Line 1 of the Sakamoto patent is not referring to the Sakamoto invention, but rather to prior art. However, Sakamoto as best understood as simply a variation of a normal chance slot machine. It does not, in any way, add or remedy the essential deficiencies of both Nolte and Takemoto. In Claims 3, 12, and 28, as amended, a player uses his reflexes to attempt to stop one of the perceived symbols that matches the bonus symbol in the freeze frame or a predetermined location. As was explained in the application, as the game begins, a bonus symbol is displayed and the player then can see a symbol matching the bonus symbol rotate on one of the reels and then attempt to use the stop button to stop the bonus symbol in a winning position. This is not disclosed by Nolte, Takemoto, or Sakamoto.

Regarding Claims 4, 5, and 6, the Nolte disclosure does not remedy the essential deficiencies of the other prior art references, including Nolte.

Regarding Claim 7, the examiner reasons Nolte discloses an electronic video apparatus where the symbols are constrained to stop outside of the predetermined location at the expiration of the fixed amount of time, unless the player has used the means to stop within the fixed amount of time, referencing Column 9, Lines 29-34 of the Nolte application. The Applicant respectfully traverses this conclusion of the examiner. Earlier the Applicant explained that Nolte, Column 9, Line 29-34 is simply defining what is meant by a selected icon, not explaining how an icon is selected. Moreover, the Nolte patent explains in Column 11, Lines 3-10 there is no "time out" for the rotating cylinder. He specifically uses this to distinguish his device from prior art devices. Contrary to the examiner's conclusion, the Nolte reels continue to rotate with no "time out". Also, when a stop button in Nolte is pressed, a symbol is "selected" as defined in Column 9, Lines 29-34. The Applicant respectfully traverses Contrary the examiner's conclusion that symbols are constrained to stop outside the predetermined location at the expiration of a fixed amount of time.

Regarding Claims 8 and 9, the Applicant incorporates by arguments herein made for earlier claims that the combination of Nolte, Takemoto, and Sakamoto do not disclose the features of this invention.

Claims 12-25 and 28-35 were rejected under U.S.C. 103(a) as being unpatentable over Nolte in view of Sakamoto. The Applicant incorporates by reference herein the Applicant's arguments regarding the essential deficiencies of Nolte. Adding Sakamoto to Nolte does not

remedy the essential deficiencies of Nolte.

Regarding Claim 12, Applicant incorporates by reference herein the arguments given in the paragraph on page 22 that begins: "Claims 3-9 were rejected..." As is argued there, the current invention adds a skill element to the known bonus symbol. Sakamoto, Takemoto, and Nolte only utilize the standard bonus symbol in a chance slot machine game. Nothing in those references discloses the skill element disclosed and claimed in this application.

Regarding Claims 13 and 14, Applicant incorporates by reference herein earlier arguments made regarding the deficiencies of Nolte when combined with Takemoto and Sakamoto and will not repeat those arguments here.

Regarding Claim 15, Applicant notes that the examiner's interpretation of Nolte in Claim 15 apparently contradicts examiner's interpretation of Nolte as given for Claim 7. Applicant agrees with the examiner's interpretation that Nolte does not provide a "time out" for rotating cylinders. Regarding prior art, certainly a "time out" feature is provided in prior art. However, when the time runs, a symbol stops in the window and the results of the game are determined. This is in contrast to the Applicant's invention, where no symbol stops in the predetermined location or "window", when the time expires and the game is simply restarted. Briefly put, in the current invention, the player must play the game to determine a result. He cannot randomly allow the "time out" to stop and win the game. This is in contrast to prior art in slot machines cited by the examiner.

Applicant respectfully traverses the conclusion of the examiner regarding Claim 16 that Nolte discloses an electronic apparatus wherein fixed symbols are constrained to stop outside the

predetermined location at the expiration of a fixed amount of time. Nolte discloses that the reels keep turning until the stop button is depressed. Moreover, Nolte discloses that when a stop button is depressed, a symbol is "selected", as explained in Column 9, Lines 29-34. Applicant respectfully requests clarification of the examiner's conclusion for Claim 15 that there is no "time out" for the rotating cylinders, but in Claim 16 that symbols are constrained to stop at the expiration of a fixed amount of time. It is believed that a correct interpretation of Nolte is that the symbols continue to spin until the player presses the stop button, then a symbol is selected for the window, as is defined in Column 9, Lines 29-34 of the Nolte patent. As has been previously explained and is incorporated by reference herein, that is in contrast to the current application. Regarding Claims 17-19, Nolte fails to disclose the essential skill elements of this game as argued in response to earlier claims. Said arguments are incorporated by reference herein.

Regarding Claim 20, the examiner reasons that Nolte discloses an electronic video base apparatus that includes a reel that does not stop and an administrator having ability to update the sequence (Column 19, Lines 53-56). It is conceded that Nolte discloses an administrator with the ability to change the sequence. However, there is no motivation in Nolte to change the sequence to increase the difficulty of a game. In fact, Nolte discloses a difficulty progression that is based on the time delay between pressing the stop button and the stop of the apparent reel rotation. Applicant respectfully requests another reference from the examiner that would provide the motivation to change the sequence of symbols on a reel to provide a fresh challenge to the player. That is taught by this application, but not by Nolte. Applicant therefore respectfully traverses the conclusion of the examiner that it would have been obvious to one of ordinary skill in the art to update the sequence of a spinning reel to increase the challenge of the game.

§ 8.



Regarding Claims 21 and 22, the Applicant incorporates by reference herein the arguments earlier made regarding the essential deficiencies of the Nolte, Takemoto, and Sakamoto references and incorporates those by reference herein.

Regarding Claims 23, 24, and 25, the Applicant incorporates by reference herein its earlier arguments regarding the timing to allow a player an opportunity to press the stop button to win the game based on visually perceived symbols. Nolte has a built-in time delay, which is not utilized in the current invention and which reduces the game from one of skill to one of chance. As was argued earlier, in the current application a player with perfect reflexes will always win. Applicant incorporates by reference herein the earlier arguments that provided more detail regarding the deficiencies of the Nolte device.

Claims 28-35 were rejected by referencing the arguments for Claims 12-25. The Applicant incorporates by reference herein the arguments made in response to the rejection of Claims 12-25 and Claims 10 and 11 as amended.

### Conclusion

The Applicant has fully responded to all rejections. The Applicant has amended Claims 1, 2, 3, 8, 10, 11, 12, 21, 26, 27, 28, and 32 to clarify the operation of the Applicant's invention to assure that, in the Applicant's invention, a visually perceived symbol may be stopped by a player within the predetermined or winning location by use of a player stop. This is in contrast to the Nolte device, which constrains the player controlled stop to operate in such a fashion that no visually perceived symbol be stopped in a display window in response to an action of a player. The Applicant, having fully responded to each rejection of the examiner, believes that all claims are

now in a condition for allowance and the same is respectfully requested.

This the 17 day of March, 2003.

Michael E. Mauney  
Michael E. Mauney  
Attorney at Law  
Post Office Box 10266  
Southport, NC 28461  
Telephone: (910) 457-0056  
Registration #33,731